

## Attachment 2



4. If I had received a SF 95 in January 2004 (as presented to me in Mr. Horsley's letter dated August 19, 2004), I would have made a potential file, returned a copy of the SF 95 to Plaintiff's attorney with a letter. In the letter I would have informed the plaintiff's attorney that the claim failed to allege a sum certain in damages and was invalid because block 12b stated "\$50,000 (estimate)" and block 12d was not completed. I would have retained the original claim form. In the letter, I further would have advised the Plaintiff's attorney that since the claim was invalid the statute of limitations was not tolled.

5. SF 95s are received in this office by mail or by personal delivery. A courier delivers the incoming mail to our office each morning except for weekends, holidays, and training holidays.

6. When mail is received in this office, the mail is sorted by the Administrative Office, and placed in the respective boxes in the mailroom. If the mail is addressed to me, the mail is placed in my box (designated by my name). I retrieve my mail from the mailroom.

7. When I receive an SF 95, I date stamp the claim on the date of receipt, place my initials on the form, log the claim on the computer and make a file.

8. Within a day or two of receipt of the SF 95, I mail an acknowledgement letter to the claimant or his/her attorney acknowledging receipt of the claim, and advising the claimant about procedures followed with the filing of a Federal Tort Claim. As required by Army Regulation, if the dollar amount exceeds \$50,000.00, I would provide a mirror file of all documents related to the claim to the United States Army Claims Service at Fort Meade, Maryland. If I had received a SF 95 in January 2004 (as presented to me in

Mr. Horsley's letter dated August 19, 2004), I would have notified the United States Army Claims Service of the defective claim because of the potential that the claim would exceed \$50,000.00.

9. I have no record or recollection of receiving a SF 95 from plaintiff's attorney prior to the copy forwarded in August 2004.

10. I have served in my capacity as claims investigator since 1993, and I cannot recall ever having lost a SF 95 or anyone alleging that one was lost in the mail.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 15<sup>th</sup> day of September 2005.

A handwritten signature in black ink that reads "Pamela G. Patterson". The signature is written in a cursive, flowing style.

PAMELA G. PATTERSON  
Paralegal Specialist